

06/13/01

JC971 U.S. PTO  
09/879208

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Attorney's Docket Number: 02887.0141-01000

Prior Application: 09/340,149

Prior Art Unit: 2814

Prior Examiner: N. NGO

SIR: This is a request for filing a

☐ Continuation ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/340,149 filed June 28, 1999 of Yukihito OOWAKI, Mizuki ONO, Mitsuhiro NOGUCHI, Daisaburo TAKASHIMA and Akira NISHIYAMA for MIS TRANSISTOR AND METHOD FOR PRODUCING SAME

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/340,149 as originally filed on June 28, 1999.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. ☒ Cancel Claims 1-9
5. ☒ A Preliminary Amendment is enclosed.
6. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

For	:	Number Filed	:	Number Extra	:	Rate	:	Basic Fee \$710.00
Total	:		:		:		:	
Claims	:	4 -20=	:		:	x\$ 18.00=	:	\$ 0
Independent :	:		:		:		:	
Claims	:	4 -3=	:	1	:	x\$ 80.00=	:	\$ 80.00
Multiple Dependent Claim(s) (if applicable)	:		:		:	+\$260.00=	:	\$ 0
Total = :								\$ 790.00

Reduction by 1/2 for :

filing by small entity : - 0

TOTAL FILING FEE = : \$ 790.00

## LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

#2 PRE AMEND A  
7-23-07  
R. StokkeJC971 U.S. PTO  
09/879208

06/13/01

7. ☒ A check in the amount of \$790.00 to cover the filing fee is enclosed.
8. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ☒ Amend the specification by inserting before the first line, the sentence:

~This is a ☐ continuation ☒ division of application Serial No. 09/340,149 filed June 28, 1999, which is incorporated herein by reference.~

10. ☒ New formal drawings are enclosed.
11. ☒ The prior application is assigned of record to: KABUSHIKI KAISHA TOSHIBA, Kawasaki-shi, Japan, recorded August 9, 1999 at Reel/Frame 010153/0775.
12. ☒ Priority of application Serial No. 10-182899, filed on June 29, 1998, in Japan, is claimed under 35 U.S.C. § 119. A certified copy
- ☐ is enclosed or ☒ is on file in the prior application.
13. ☐ A verified statement claiming small entity status
- ☐ is enclosed or ☐ is on file in the prior application.
14. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg.

## LAW OFFICES


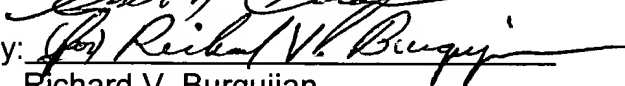
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No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. No. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Dirk D. Thomas, Reg. No. 32,600; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33,921; and James B. Monroe, Reg. No. 33,971.

15. ☒ The power appears in the original declaration of the prior application.
16. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315. **Customer Number 22,852.**
18. ☐ Recognize as associate attorney \_\_\_\_\_  
 \_\_\_\_\_  
 (name, address & Reg. No.)
19. ☒ Also enclosed is an Information Disclosure Statement and PTO Form 1449; Submission of Formal Drawings.

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 09/340,149, filed June 28, 1999, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
  
Richard V. Burgujian  
Reg. No.: 31,744

Date: June 13, 2001

ERNEST F. CHAPMAN  
Reg. No. 25,961

LAW OFFICES

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202-408-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#1 Letter  
with  
Formal  
DRAWINGS  
7-23-01  
R. Stokes

In re Divisional Application of:

Yukihito OOWAKI et al.

)  
)  
) Prior Application Rule 53(b) Divisional of  
) Serial No.: 09/340,149  
) filed June 28, 1999  
)

Serial No.: Not Yet Assigned

)  
) Group Art: 2814  
)

Filed: June 13, 2001

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)  
) For: MIS TRANSISTOR AND METHOD  
) FOR PRODUCING SAME  
)

Assistant Commissioner for Patents  
Washington, D.C. 20231

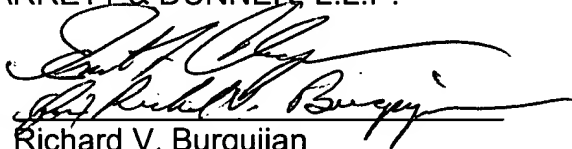
Sir:

SUBMISSION OF FORMAL DRAWINGS

Subject to the approval of the Examiner, it is respectfully requested that the attached 11 sheets of formal drawings, containing Figs. 1-13E, for the above-captioned application, be substituted for the original drawings in the concurrently filed divisional application.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Richard V. Burgujian  
Reg. No. 31,744

Dated: June 13, 2001

ERNEST F. CHAPMAN  
Reg. No. 25,961

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